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CR 000 710 Child Protection

1. PURPOSE AND SCOPE

The overall goal of this policy is to protect children from exploitation and abuse of all kinds in the delivery of ADRA Australia's local and international program. More specifically its objective is to create and maintain child-safe environments in the delivery of ADRA Australia's local and international program.

This policy applies to all ADRA Australia Personnel engaged in any capacity, including employees, contractors, sub-contractors, interns and volunteers, including those working with partner organisations, and all in-country partner organisations (herewith to be referred to as 'ADRA Australia Personnel'). This policy is relevant to all ADRA Australia-funded activities, regardless of funding source, geographical focus or departmental alignment, regardless of whether children are the specific focus. Where ADRA Australia Partners are involved those organisations are expected to maintain child protection policies and standards that are consistent with this policy and these obligations will be defined in partnership agreement documents.

This policy provides guidance in the following specific areas:

- Prevention (risk management, recruitment, training, code of conduct and communications).
- Allegation Reporting and Management (obligations and confidentiality)
- Implementation & Monitoring (partner engagement, spot-check and review)

2. STATEMENT OF PHILOSOPHY

ADRA Australia like its parent body the Seventh-day Adventist Church condemns all abuse against children. As a Christian humanitarian organisation, ADRA Australia values all persons, including children, and is committed to the safety and well-being of all children associated with our programs.

ADRA Australia adheres to statutory laws in Australia and foreign countries regarding child abuse and exploitation, and has policies and procedures in place to protect the rights of children in all aspects of its program. ADRA Australia recognises that developing countries often have weak social welfare systems for child protection and some Governments have no legal mandate to protect children. It is vital ADRA Australia staff implementing the development and relief program remain alert to child protection issues and have the capacity to manage risks effectively.

ADRA Australia has a policy of zero tolerance of child abuse and exploitation. Child abuse and exploitation by any person representing or conducting any activities funded or supported by ADRA Australia is not tolerated. ADRA Australia is committed to preventing a person from working with children if they pose an unacceptable risk to children. Where an allegation of child abuse, exploitation or non-compliance with child protection policies has occurred, ADRA Australia will follow internal procedures and notify relevant law enforcement agencies as appropriate. Regardless of any legal outcome, ADRA Australia reserves the right to take disciplinary action which may include terminating the contract or volunteer assignment of any staff member or volunteer at its sole discretion if it is found that the person has breached ADRA Australia Child Protection Policy and

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Procedures.

3. DEFINITIONS AND PRINCIPLES

A. Definitions

A 'child' or 'minor' is any person who is less than 18 years old.

'ADRA Australia Personnel' includes all ADRA Australia's employees (including Conference ADRA Directors), volunteers, contractors and Company Directors engaged by or representing ADRA Australia in a short or long term capacity.

'ADRA Australia Partners' in the context of this policy specifically refers to external entities, often, but not exclusively, other ADRA offices, with which ADRA Australia has document partnership agreements for the implementation of development or relief activities.

The Protocols below apply to all interactions with minors who ADRA Australia Personnel may come into contact with while engaged by or representing ADRA Australia, including (but not limited to):

- Minors living in or around communities/camps in which the Personnel is located;
- Minors visiting communities/camps at which ADRA Australia is providing assistance or services for any reason;
- Minors living in or around an ADRA Australia project site;
- Minors who approach ADRA Australia Personnel during and outside of working hours; and
- Minors who are participating in ADRA Australia funded activities.

B. Principles

All ADRA Australia Personnel must ensure the following core principles for child safety are applied:

- Exploitation and abuse of minors by ADRA Australia personnel constitute acts of gross misconduct and are grounds for the termination of contract or volunteer assignment;
- Sexual activity with minors is prohibited regardless of the local age of majority or age of consent. Mistaken belief regarding the age of a child is not a defence;
- Exchange of money, employment, goods, or services for sex, sexual favours or other forms of humiliating or degrading behaviour or exploitation is prohibited. This includes exchange of sexual favours in return for assistance that is due to beneficiaries.
- Where ADRA Australia Personnel develop concerns or suspicions regarding abuse or exploitation by another ADRA Australia Personnel, they must report such concerns to a person who has responsibility within ADRA Australia for child protection such as the designated Child Protection Officer, ADRA project manager, Country Director or the ADRA Australia Child Protection Officer; and
- ADRA Australia personnel are obliged to support the creation and maintenance of a child safe environment which prevents exploitation and abuse of children when carrying out their work under the contract.

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Breaches of these principles by ADRA Australia Personnel are grounds for disciplinary action including the immediate termination of employment contract or volunteer/intern assignment (by ADRA Australia for Australian contracted personnel and the local in-country ADRA office for locally sourced personnel). Suspension or alternative duties may also be carried out for failure to comply with the requirements of this policy.

Partner organisations must implement and maintain policies and procedures to ensure the safety of minors from abuse and exploitation. Failure to do so or repeated breaches of these principles by partner organisations or their personnel will be grounds for the termination of any existing arrangements including MOUs, EOLs and project funding.

4. PREVENTION

The foundation of any Child Protection Policy is prevention. ADRA Australia mandates a range of processes designed to minimise the potential for harm to children. Key processes of ADRA Australia prevention strategy are:

- Recruiting and selecting ADRA Australia Personnel safely;
- Abiding by a Code of Conduct;
- Undertaking a child protection risk analysis prior to any activity;
- Media & Communication procedures and guidance
- Provide Child Safeguarding training and/or orientation to all ADRA Australia Personnel and implementing partners

A. Child Safe Recruitment & Partner Engagement

a. Overall Approach

ADRA Australia recruitment and partner engagement processes are stringent ensuring ADRA Australia Personnel are safe to work with children. The following will apply:

- i. In respect of any recruitment for employees or interns, the following statement will be included in all job advertisements:

"ADRA Australia is a child safe organisation and screens applicants for suitability to work with children. The successful applicant will be required to obtain a police check. Police checks must be conducted for each country in which the individual has lived for 12 months or longer over the last five years, and for the individual's country of citizenship (including dual citizenship holders). Individuals will be required to provide their consent to a criminal record check to assess their suitability for any role including their suitability for working with children. ADRA Australia recognises that in limited instances it may prove impossible to obtain a reliable criminal record check. A statutory declaration outlining efforts made to obtain a foreign police check, and disclosing any charges and spent convictions related to child abuse or exploitation, may be accepted in limited circumstances."

- ii. Applicants will have their employment or volunteer history checked including an investigation of any gaps between jobs;
- iii. Applicants will have their identity checked with original documents and submit and sign their application forms;

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- iv. Applicants will be asked specific child-protection related questions during their interview;
- v. Applicants should provide three satisfactory referees who will be asked about the candidate's experience in working with children and to disclose any concerns that they may have about the applicant's suitability to work with children.
- vi. Applicants will undergo a criminal record check and/or Working With Children Check (WWCC). Where it is difficult to obtain these and efforts have been made to do so, a statutory declaration outlining the efforts made to obtain a foreign police check, and disclosing any charges and spent convictions related to child exploitation, *may* be accepted subject to approval by ADRA Australia's Executive Committee. Checks must be conducted for each country in which the individual has lived for 12 months or longer over the last 5 years, and for the individual's countries of citizenship.

b. Tiered Screening of ADRA Australia Personnel

Due to the variety of activities that ADRA Australia Personnel (both Australian and non-Australian) are engaged in, and the inherent variations in risk to children associated with those activities, the following assessment will be applied to determine the level of screening required. This assessment will be documented during recruitment or engagement processes with records kept in the employee, contractor or volunteer records. Screening activities will include points i) to vi) as described under section 5.A.a. *Overall Approach* above.

Level of Risk	Level of Screening	Description of activities to determine level
High (Working with Children)	Full Screening i), ii), iii), iv), v), vi) Code of conduct signed	Persons who: Are ADRA Australia <u>employees</u> ; or Are ADRA Australia Personnel who have <u>contact</u> with the participants (including children) of ADRA Australia projects and activities internationally or domestically (e.g. employees, contractors or volunteers who will visit projects in Australia or overseas).
Medium (Contact with Children)	Medium Screening ii), iii), iv), v), vi) Code of conduct signed	Persons who: Are <u>not</u> ADRA Australia employees; and Are ADRA Australia Personnel who have <u>no contact</u> with the participants (including children) of ADRA Australia projects and activities internationally or domestically (e.g. contractors or volunteers who will <u>not</u> visit projects in Australia or overseas); but Have <u>access</u> to project management and information storage software (e.g. Sharepoint, Logalto, Salesforce).
Low (No contact with Children)	Minimal Screening iv) Code of conduct signed	Persons who: Are <u>not</u> ADRA Australia employees; and Are ADRA Australia Personnel who have <u>no contact</u> with the participants (including children) of ADRA Australia projects and activities internationally or domestically (e.g. contractors or volunteers who will <u>not</u> visit projects in Australia or overseas); and Have <u>no access</u> to project management and information storage software (e.g. Sharepoint, Logalto, Salesforce).

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If a person has been screened under a low or medium level of risk and then is reassigned to a role with a higher level of risk they must undergo the additional screening steps before transitioning to the new role.

B. Code of Conduct

The Code of Conduct is designed primarily to protect children; however it also serves to protect ADRA Australia Personnel from false accusations; and the name and reputation of ADRA Australia. All ADRA Australia Personnel must comply with ADRA Australia's Child Protection Code of Conduct, which sets standards for personal behaviour. ADRA Australia expects staff to use common sense and avoid actions or behaviours that could be construed as child exploitation and/or abuse in the course of their association with ADRA Australia. Refer to ANNEX 1 for the Code of Conduct. Breaches of the ADRA Australia Child Protection Code of Conduct can be grounds for termination, suspension or transfer to alternative duties.

a. Contract Provisions

Each employment contract includes an entitlement for ADRA Australia to dismiss the employee, or suspend or transfer them to other duties, if they breach the ADRA Australia Child Protection Code of Conduct. All other engagements, including of volunteers and contractors, require compliance with ADRA Australia's Child Protection Code of Conduct.

b. ADRA Australia Partner Engagement

All ADRA Australia Partner organisations that have contact with children must have a child protection policy and procedures in place. ADRA Australia will request partners to provide the organisation's child protection policy prior to engagement to assess its consistency with the requirements of the ADRA Australia Child Protection Policy. If the organisation's policy is not adequate, as assessed by ADRA Australia in its discretion, ADRA Australia will support the organisation to develop a child protection policy that meets the standards required by ADRA for child safe organisations prior to engagement. Serious or repeated non-compliance with the requirements of a child protection policy by partner organisations (or their personnel) will be considered to be a breach of the organisation's arrangements with ADRA Australia and may result in the termination of those existing arrangements, including MOUs, EOLs and project funding.

C. Risk Analysis

ADRA Australia staff will identify child protection risks through conducting an initial risk assessment, identify strategies to manage those risks, monitor, evaluate and update risks and strategies throughout the life cycle of the project. Refer to ANNEX 4 for the Risk Assessment Template.

D. Communications

Using the ADRA Australia's systems to access child exploitation material or to engage in online grooming of minors is unacceptable and is dealt with promptly, including by reporting to relevant law enforcement agencies.

- When photographing or filming a child or using a child's images for work related purposes,

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ADRA Australia Personnel must:

- i. assess and endeavour to comply with local traditions or restrictions for reproducing personal images, before photographing or filming a child
- ii. obtain informed consent from the child and parent or guardian of the child before photographing or filming a child and explain how the photograph or film will be used. Such consent must be written or if this is not possible and verbal consent is given, consent must be witnessed and documented.
- iii. ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
- iv. ensure images are honest representations of the context and the facts
- v. protect the privacy of children and their families and ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form

b. All independent photographers must be appropriately screened as outlined in Section A (above) Child Safe Recruitment and Partner Engagement. This will include, but is not limited to, police and/or working with Children checks.

5. ALLEGATION REPORTING AND MANAGEMENT

ADRA Australia's allegation reporting and management processes apply to child exploitation and abuse and to non-compliance with or breaches of this policy and the Child Protection Code of Conduct. The development, implementation and continual monitoring of an effective allegation and incident management system is essential to ADRA Australia's efforts to protect children from all forms of abuse and exploitation, and to ensure due process for any of ADRA Australia's Personnel involved in an allegation. Breaches of the ADRA Australia Child Protection Policy or Child Protection Code of Conduct can be grounds for the immediate termination of the person's employment contract or volunteer/intern assignment (by ADRA Australia for Australian contracted personnel and the local in-country ADRA office for locally sourced personnel). Suspension or alternative duties may also be carried out for policy non-compliance.

A. International Development and Humanitarian Program

The ADRA Australia Program Director is required to notify the Department of Foreign Affairs and Trade (DFAT) child protection compliance section if any DFAT funded personnel or DFAT partner personnel are accused of, charged with, arrested for or convicted of criminal offences relating to child exploitation and abuse.

B. Obligation to Report Suspected Incidents of Abuse or Exploitation, or Policy Breaches

All ADRA Australia Personnel are required to report immediately to the ADRA Australia Child Protection Officer (or if the ADRA Australia Child Protection Officer is not available to the ADRA Australia CEO) if they have any suspicion of child abuse or exploitation or breach of this policy occurring or being likely to occur (including the inappropriate use of printed and electronic materials or behavior that may be grooming of a child). Verbal complaints by stakeholders must be

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documented by staff and submitted in written form if the stakeholder is unable or unwilling to submit personally. See [ANNEX 3](#) for Report Format.

If a person knowingly chooses not to report an incident or breach of this policy, they will be subject to disciplinary action including possible termination of employment, suspension or transfer to alternative duties. If the allegation is in relation to the ADRA Australia Child Protection Officer then the matter must be reported immediately and directly to the CEO.

The ADRA Australia Child Protection Officer is responsible for instituting appropriate action in response to receipt of complaints, allegations or suspicions including (See [ANNEX 2](#) for Complaints Procedure):

- a. Taking immediate steps to secure the safety and well-being of the child or children concerned
- b. Consulting with the relevant staff in relation to the allegation. These may include the Program Director, the CEO and AdSafe representatives.
- c. Making a report to local statutory authorities – where appropriate or required (e.g. mandatory reporting required under legislation)
- d. If an allegation is made against a staff member, that person will be suspended or transferred with or without pay until the investigation is complete
- e. Complying with relevant statutes and protocols and cooperating with Police
- f. Determining whether referral of information to the Australian Federal Police or other international authorities is appropriate and possible
- g. Conducting or arranging an internal investigation to determine if ADRA Australia Child Protection Policy and Procedure has been breached in a timely manner and using external legal or expert advice if required.

The following principles apply to any investigation in response to any complaint, allegation or suspicion of abuse, exploitation or breach of this policy:

- a. At all times ADRA Australia Personnel will act in the best interests and safety of the child
- b. No assumptions are to be made regarding guilt or innocence of a person who is the subject of a complaint, allegation or suspicion, with the investigation process remaining confidential until a decision has been reached by management
- c. Regardless of the decision made, the process must be documented and filed, with all printed and electronic matter being kept in a secure and confidential place at all times

Following the investigation process the ADRA Australia Child Protection Officer will conclude one of the following:

- a. **There are possible grounds for criminal or statutory proceedings and ADRA Australia Child Protection Policy and Procedures have been breached.** Where this has not already occurred, the matter will be referred to appropriate authorities and disciplinary action including possible suspension or termination of employment will be undertaken. Where necessary for the safety of the child or other children or a statutory requirement ADRA Australia may notify authorities before completing its investigation.
- b. **There is no basis for referral to statutory bodies or law enforcement authorities, however the person has breached ADRA Australia Child Protection Policy and Procedures.** Disciplinary

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action will be undertaken including possible termination of employment, suspension or transfer of duties.

- c. **There is no basis found for the allegation:** in which case the person will resume normal duties.
- d. In the case of point a. above, regardless of any legal outcome, ADRA Australia reserves the right to refuse reinstatement of any ADRA Australia Personnel at its sole discretion if it is found that the person has breached ADRA Australia Child Protection Policy and Procedures.
- e. Any individual, who makes false and malicious accusations, will face disciplinary action.
- f. If an ADRA Australia Personnel raises a legitimate concern about suspected child abuse, exploitation or policy non-compliance in good faith, which proves to be unfounded on investigation, no action will be taken against the individual.

C. Confidentiality

All incidents and alleged incidents of child abuse and exploitation are handled with sensitivity and confidentiality, to the extent permitted by relevant laws. However, the best interests and safety of the child or other children is paramount and in some cases reporting of incidents and allegations may occur where this is required or appropriate, even if the child or party concerned is reluctant to give their consent. Concerns that arise are always directed through the above formal procedure. All documentation of any allegations made, either electronic or paper, is to be kept in a secure place at all times.

6. IMPLEMENTATION AND MONITORING

ADRA Australia will take the following measures to ensure effective implementation of this policy:

- A. Roles and responsibilities for child protection implementation are included in key documents such as employee contracts, MoU's, EOL's and volunteer agreements.
- B. All ADRA Australia Personnel are required to go through child-safe recruitment and screening processes, including criminal record checks prior to engagement, behavioural based interview questions and documented verbal referee checks¹.
- C. All ADRA Australia Personnel will undergo mandatory child protection training as part of orientation.
- D. ADRA Australia Development and Humanitarian Program have a designated child protection staff member to assist program staff with all child protection policy advice.
- E. ADRA Australia expects that partner organisations have a locally contextualised child protection policy that meets the minimum standards as given in this document. In addition the Code of Conduct (See ANNEX 1), or a locally contextualised version must be signed by all ADRA Australia Personnel. It must be translated to the local language and signed as part of project personnel orientation and training procedures.
- F. The International and National Program Directors are responsible for ensuring partner policies, procedures and code of conduct are compliant and regular spot checks will be conducted by

¹ In exceptional cases where one or more of these checks cannot take place consult ADRA Australia HR for further guidance.

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ADRA Australia program staff. It is required that breaches of child protection protocols are immediately reported to ADRA Australia.

- G. ADRA Australia and partner organisations must designate a Child Protection Officer²; designated to be responsible for child protection issues within that organisation and inform staff and other personnel of the role and responsibilities of the Child Protection Officer. Duties may include orientation and training on child protection issues and the responsibility for the follow up and investigation of child protection concerns or complaints.
- H. Partner organisations are also expected to advise ADRA Australia of their child protection policies and of any amendments that may be made from time to time. Partner organisations are also requested to brief visiting ADRA Australia Personnel of these amendments and any local traditions, expectations and legal requirements in relation to the photography of children, including local permission/release protocols and the provision of any associated permission forms.
- I. ADRA Australia undertakes an Organisation Child Protection Risk assessment. This assessment will identify any risks, define high risk activities and document steps to reduce or remove these risks. This risk assessment is updated on an annual basis.
- J. Any potential ADRA Australia Personnel whose criminal history check reveals issues of concern to the safety of children cannot be engaged in any ADRA Australia funded activities. Personnel who are already employed will have their contracts terminated if they breach the code of conduct or have failed to accurately declare a history of relevant child protection issues.
- K. ADRA Australia Child Protection Policy will be reviewed and updated as required, but at least every five years.

² ADRA Australia will designate Child Protection Officers for its National and International Programs.

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ANNEX 1 - Child Protection Code of Conduct

I [insert name], agree that while engaged by ADRA Australia I will:

- a. disclose to the ADRA Australia CEO or his or her delegate any criminal charges, convictions or accusations, and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during my association with ADRA Australia
- b. treat children with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, disability, or other relevant status
- c. not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- d. not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts
- e. not develop special relationships with a specific child or children, show favouritism or give gifts or particular attention to a child
- f. wherever possible, ensure that another adult is present when working with or near children
- g. avoid involvement in unsupervised one-on-one counselling with minors and children
- h. not invite unaccompanied children into my home or hotel, or into a closed room unless they are at immediate risk of injury or in physical danger
- i. not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present
- j. use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium (see 'Use of children's images for work related purposes' below)
- k. not use physical punishment on children
- l. refrain from hiring children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury
- m. comply with all relevant Australian and local legislation, including labour laws in relation to child labour
- n. immediately report concerns, suspicions or allegations (including any allegation by a child) of child exploitation and abuse and breach or non-compliance with the child protection policy in accordance with appropriate procedures
- o. be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse

When photographing or filming a child for work related purposes, I must:

- a. assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child
- b. obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this I must explain how the photograph or film will be used. Such consent must be written or if this is not possible and verbal consent is given, consent must be witnessed and documented.

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- c. ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive
- d. ensure images are honest representations of the context and the facts
- e. protect the privacy of children and ensure file labels, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

I understand that the onus is on me, as a person engaged by ADRA [organisation], to use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse when implementing or participating in ADRA Australia activities. Conduct that goes against any of the above points or that does not comply with the Child Protection Policy will not be tolerated and will constitute grounds for disciplinary action including termination of employment contract or volunteer assignment. I understand my obligation to immediately report any allegation, concern or suspicion of abuse or exploitation of children or breach of or non-compliance with the child protection policy or this code of conduct to the child protection officer

Organisation: _____ Project Title: _____

Position: _____

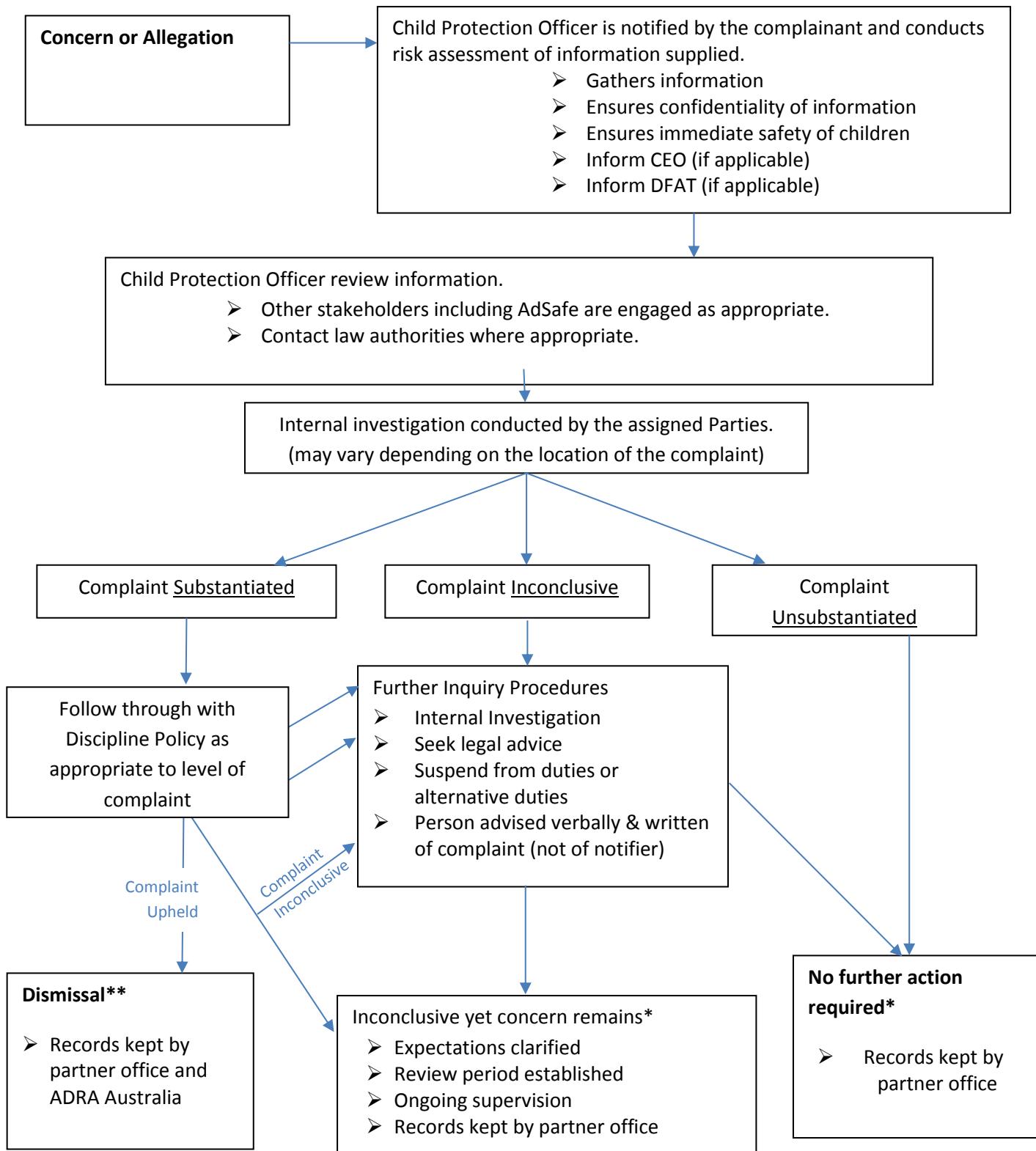
Name: _____

Signature: _____ Date: _____

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ANNEX 2 – Child Protection Response Process



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ANNEX 3 - Child Protection Complaint Form

PART A - Complainant to complete

Person making complaint (can be anonymous):

Date:

Who is the complaint about:

Who was the victim of the breach of conduct (name and contact details desirable but not essential)?

When did breach of conduct occur?

What was the breach of conduct?

Where did breach of conduct occur?

Who else was involved in this breach of conduct?

How did you come by this information about breach of conduct?

Any other details you would like to add?

PART B – CO to complete

Date received by ADRA Australia Child Protection Officer:

Was this complaint investigated? Yes/No

If No, why not?

Is there evidence or suspicion of a breach of conduct? Yes/No

If No, what is the next step you will take?

If Yes what disciplinary action or further investigation will take place?

What is the final outcome of this complaint?

Report submitted to ADRA Australia? Yes/No

Date of completion:

Any documentation associated with the complaints procedure and investigation should be filed together for future reference if needed. Any complaints received by the designated child protection officer should automatically be passed on the ADRA Australia Program Officer.



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It is important to keep records as several unproven or minor breaches may indicate a pattern of negative behaviour that is forming in a person and more supervision should be implemented with such Personnel around minors.



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ANNEX 4 – Program Risk Assessment Tool

Program/Event:			
Activity/Activities:	Date/s:		
Description of venue:	Prepared by:		
Aim/purpose:	Checked by:		

RISK	RISK EVALUATION	PREVENTION	EMERGENCY PLANS
Consider physical, emotional, mental and spiritual events that may occur	Low/Medium/High (Refer Risk Matrix, below)	How will you attempt to ensure the risk doesn't happen?	What will you do if it does happen?
People Risks			
Equipment Risks			
Environment Risks			
Steps taken to minimise risk: (Contingency plans, actions, recommendations, etc.)			
Skills required by staff: Child Protection knowledge, how to identify warning signs,			
Safety equipment required:			

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